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PTO/SB/21 (04-04)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/817,377
	Filing Date	4/2/2004
	First Named Inventor	Henry W. Bonk et al.
	Art Unit	Unknown
	Examiner Name	Unknown
Total Number of Pages in This Submission	Attorney Docket Number	402200004DVJ

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>Form 1449 (with 1 attached other document) and Return Postcard</b>
<b>Remarks</b>		The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name Anna M. Budde	Reg. No. 35,085
Signature	<i>Anna M. Budde</i>		
Date	July 1, 2004		

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Anna M. Budde	Express Mail Label No.	EV 533 146 421 US (7/1/2004)
Signature	<i>Anna M. Budde</i>	Date	July 1, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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EV 533 146 421 US



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/817,377  
Filing Date: 4/2/2004  
Applicant: Henry W. Bonk et al  
Title: Membranes of Polyurethane Based Materials Including Polyester Polyols  
Attorney Docket: 4022-000004/DVJ

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Director of the United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

**I. LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION**

The patents, publications and other information requested to be considered by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

**II. COPIES**

A. \_\_\_\_\_ Submitted herewith is a legible copy of (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cross-referenced pending U.S. application listed below in Section IV, the application specification including the claims, and any drawing of the application which caused it to be listed including the claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

B.  X  Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

09/965,482

U.S. Filing Date

September 27, 2001

C.\_\_\_\_ Because the present application was/is being filed after June 30, 2003, no copies of the U.S. patents or U.S. patent application publications which are listed on the attached Form 1449 are enclosed pursuant to the waiver of 37 C.F.R. § 1.98(a)(2)(i). Any foreign patent documents or non-patent literature listed on the attached Form 1449 are enclosed herewith.

D.\_\_\_\_ This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form-1449 for consideration by the Examiner and for listing on any patent resulting from this application. If the International Search Report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g))

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

A. X Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).

B.\_\_\_\_ A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

- 1.\_\_\_\_ See the attached foreign patent office communication from a counterpart foreign application.
- 2.\_\_\_\_ English translations are provided.
- 3.\_\_\_\_ Other:

C. \_\_\_\_ The following additional information is provided for the Examiner's consideration.

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

A. X The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. § 122.

<u>Serial No.</u>	<u>Filing Date</u>	<u>Art Unit</u>
09/965,482	9/27/2001	1711

V. THIS IDS IS BEING FILED UNDER

A. X 37 C.F.R. § 1.97(b): (check only one box)

1. X within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.

2. \_\_\_\_ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.

3. \_\_\_\_ before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

4. \_\_\_\_ before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

B. \_\_\_\_ **37 C.F.R. § 1.97(c):** (check only one box)

before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. \_\_\_\_ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

2. \_\_\_\_ See the certification below. No fee is required.

C. \_\_\_\_ **37 C.F.R. § 1.97(d):**

after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1. \_\_\_\_ See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. **CERTIFICATION UNDER 37 C.F.R. § 1.97(e):** (check only one box)

The undersigned hereby certifies that:

A. \_\_\_\_ each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)). See further statement under 37 C.F.R. § 1.704(d) below in section VII, if applicable; or

B. \_\_\_\_ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).

C. \_\_\_\_ Some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. STATEMENT UNDER 37 CFR 1.704(d)

The undersigned hereby states that:

\_\_\_\_ each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this IDS.

VIII. PAYMENT OF FEES (check only one box)

A. \_\_\_\_ A check in the amount of \$180.00 is enclosed for the above-identified fee.

B. \_\_\_\_ Please charge Deposit Account No. 08-0750 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 08-0750.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 08-0750.

Respectfully submitted,

Dated: July 1, 2004

By: Anna M. Budde  
Anna M. Budde  
Reg. No. 35,085

HARNES, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
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AMB/mshi

FORM HDP-1449 (Based on Form PTO-1449)

ATTORNEY DOCKET NO.

SERIAL NO.

4022-000004/DVJ

10/817,377

## PATENT AND TRADEMARK OFFICE

## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

APPLICANT

Henry W. Bonk et al

FILING DATE

GROUP

4/2/2004

Unknown

Sheet 1 of 5



## U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		3,718,494	0/27/73	Jacobson		
2.		4,082,854	04/04/78	Yamada et al.		
3.		4,257,176	3/24/81	Hartung et al.		
4.		4,340,626	07/10/80	Rudy		
5.		4,344,987	08/17/82	Ostertag et al		
6.		4,423,185	12/27/83	Matsumoto et al		
7.		4,429,076	01/31/84	Saito et al		
8.		4,501,790	02/26/85	Aizawa et al		
9.		4,513,058	04/23/85	Martin		
10.		4,536,425	08/20/85	Hekal		
11.		4,551,518	11/05/85	Matsumoto et al		
12.		4,557,859	12/10/85	Maeda et al		
13.		4,610,099	09/09/86	Signori		
14.		4,614,208	09/30/86	Skarelius		
15.		4,639,471*	01/27/87	Hirai et al		
16.		4,681,797	07/21/87	Van Iseghem		
17.		4,692,361	09/08/87	Johnston et al		
18.		4,722,131	02/02/88	Huang		
19.		4,731,289	03/15/88	Coleman		
20.		4,786,685	11/22/88	Takida et al		
21.		4,864,738	09/12/89	Horovitz		

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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APPLICANT

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Unknown

Sheet 2 of 5



## U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
22.		4,874,670*	10/17/89	Boon et al		
23.		4,887,367	12/19/89	Mackness et al		
24.		4,890,822*	01/02/90	Ezure et al		
25.		4,927,689	05/22/90	Markiewicz		
26.		4,936,029	06/26/90	Rudy		
27.		4,960,639	10/02/90	Oda et al		
28.		4,978,394	12/18/90	Ostertag et al		
29.		4,999,229	03/12/91	Moritani et al		
30.		5,003,002	03/26/91	Ofstein		
31.		5,030,404	07/09/91	Bonnebat et al		
32.		5,036,110	07/30/91	Moureaux		
33.		5,036,113*	07/30/91	Boon et al		
34.		5,036,603	08/06/91	Dischler		
35.		5,042,176	08/27/91	Rudy		
36.		5,042,781*	08/27/91	Ezure et al		
37.		5,053,455	10/01/91	Kroggel et al		
38.		5,059,245	10/22/91	Phillips et al		
39.		5,090,010	02/18/92	Takahaski		
40.		5,096,756	03/17/92	Walters		
41.		5,157,082	10/20/92	Johnson		

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



FORM HDP-1449 (Based on Form PTO-1449)

**PATENT AND TRADEMARK OFFICE  
INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

Sheet 3 of 5

ATTORNEY DOCKET NO.

4022-000004/DVJ

SERIAL No.

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APPLICANT

Henry W. Bonk et al

FILING DATE

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GROUP

Unknown

**U.S. PATENT DOCUMENTS**

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
42.		5,198,042	03/30/93	Masumoto et al		
43.		5,215,124	06/01/93	Hattori et al		
44.		5,246,761	09/21/93	Sasaki		
45.		5,292,824	03/08/94	Nagai et al		
46.		5,300,334*	04/05/94	Neiderst et al		
47.		5,332,767	07/26/94	Reisser et al		
48.		5,346,950	09/13/94	Negi et al		
49.		5,393,832	02/28/95	Moulies et al		
50.		5,409,041	04/25/95	Yoshida et al		
51.		5,416,988	05/23/95	Potter et al		
52.		5,429,852	07/04/95	Quinn		
53.		5,436,295	07/25/95	Nishikawa et al		
54.		5,456,787	10/10/95	Myles		
55.		5,458,935	10/17/95	Aizner		
56.		5,462,980	10/31/95	Bastioli et al		
57.		5,489,455	02/06/96	Nugent, Jr. et al		
58.		5,498,662	03/12/96	Tanaka et al		
59.		5,532,284	07/02/96	Bartlett et al		
60.		5,540,770	07/30/96	Schmid et al		
61.		5,567,489	10/22/96	Allen et al		

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Date Considered:

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4/2/2004

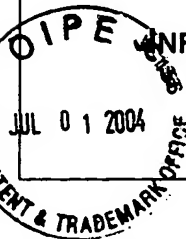
Unknown

## PATENT AND TRADEMARK OFFICE

## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Sheet 4 of 5



## U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
62.		5,578,372	11/26/96	Murakami		
63.		5,591,798	01/07/97	Patel		
64.		5,601,889	02/11/97	Chundury et al		
65.		5,609,962	03/11/97	Ouhadi		
66.		5,612,101	03/18/97	Furuta et al		
67.		5,633,065	03/27/97	Matsukura et al		
68.		5,645,923	07/08/97	Matsuo et al		
69.		5,662,738	09/02/97	Schmid et al		
70.		5,693,424	12/02/97	Watanabe et al		
71.		5,700,560	12/23/97	Kotani et al		
72.		5,713,141*	02/03/98	Mitchell		
73.		5,952,065	09/14/99	Mitchell et al		
74.		6,013,340	01/11/00	Bonk et al		

## FOREIGN PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	No
1.		58-22163	02/09/83	Japan		X	
2.		59-196706	11/08/84	Japan		X	
3.		59-116145	05/27/87	Japan		X	
4.		2,636,638	03/23/90	France		X	

Examiner:

Date Considered:

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(Use several sheets if necessary)

APPLICANT

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FILING DATE

GROUP

4/2/2004

Unknown

Sheet 5 of 5

## FOREIGN PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	No
5.		EP 624463*	11/17/94	Europe			
6.		Wo 8705563*	09/24/87	PCT Application			
7.		52-069486* (Derwent Abstract AN 77-51387y)	06/09/77	Japan			
8.		62-253428* (Patent Abstracts of Japan, Vol. 12, No. 131 (M-688), 22 April 1988)	11/05/87	Japan			

## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

Ref. Desig.	Examiner's Initials	
1.		Bayer Polymers Division, Engineering Polymers Properties Guide, Thermoplastics and Thermosets
2.		Dow Plastics "Pellethane 2355-80AE," Form No. 306-00510-697 SMG, June 1997

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.